

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHELDON RAY NEWSOME,
Plaintiff,
v.
F. MOHMAND,
Defendants.

No. 2:23-cv-0151 CKD P

ORDER

Plaintiff has filed a motion asking that this matter be consolidated with Garcia v. Mohmand, 2:22-cv-2159 TLN DMC. Federal Rule of Civil Procedure 42(a) permits a court to consolidate actions involving common questions of law or fact. In determining whether to consolidate actions, the court weighs the interest of judicial convenience against the potential for delay, confusion, and prejudice caused by consolidation. Southwest Marine, Inc., v. Triple A. Mach. Shop, Inc., 720 F. Supp. 805, 807 (N.D. Cal. 1989).

It does appear that there are at least some common issues of fact with respect to this case and the case identified by plaintiff. However, the common issues are not so substantial as to warrant consolidation. The court notes that there is only one defendant remaining in this action and fourteen remain in the Garcia case. Also, the allegations in each operative pleading are numerous and will be difficult enough to consider in isolation as opposed to having to consider both pleadings together.

Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for consolidation (ECF No. 47) is denied.

Dated: June 10, 2024



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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